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6 Attorneys for the Plaintiffs

7  
8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

10  
11 PATRICIA DESANTIS, individually and as  
Successor in Interest for RICHARD  
12 DESANTIS, deceased, and as Guardian Ad  
Litem for DANI DESANTIS, a minor and  
13 TIMOTHY FARRELL, a minor,

14 Plaintiffs,

15 v.

16 CITY OF SANTA ROSA, *et al.*,

17 Defendants.

Case No.: C 07 3386 JSW

**DECLARATION OF JOHN HOUSTON  
SCOTT IN SUPPORT OF PLAINTIFF'S  
MOTION FOR PARTIAL SUMMARY  
ADJUDICATION**

[Fed. R. Civ. P. 56(c), 56(d)]

Date: October 17, 2008

Time: 9:00 a.m.

Place: Courtroom 2, 17th floor

Judge: Jeffrey S. White

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20  
21 I, John Houston Scott, declare that:

22 1. I am an attorney at the Scott Law Firm. I am licensed to practice law in the State  
23 of California and admitted to all district courts in California. I am familiar with the facts and  
24 issues in this action and I have personal knowledge of the matters stated herein and if called as a  
25 witness I could and would competently testify to said facts and each of them. I submit this  
26 declaration in support of the plaintiff's motion for summary adjudication

27 2. Attached hereto as **Exhibit A** is a true and correct copy of excerpts from the 911  
28 call log, referred as "911 Call Log."

3. Attached hereto as **Exhibit B** is a true and correct copy of excerpts from the deposition of Sergeant Richard Celli, referred as "Celli Depo."

4. Attached hereto as **Exhibit C** is a true and correct copy of excerpts from the deposition of Officer Patricia Mann, referred as "Mann Depo."

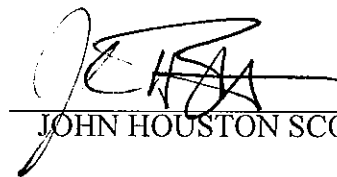
5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts from the deposition of Officer Travis Menke, referred as "Menke Depo."

6. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from the deposition of Sergeant Jerry Soares, referred as "Soares Depo."

7. Attached hereto as **Exhibit F** is a true and correct copy of excerpts from the deposition of Daniel Jones, referred as "Jones Depo."

8. Attached hereto as **Exhibit G** is a true and correct copy of Defendant's Response to Interrogatory No. 6, Set Two.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on August 8, 2008 at San Francisco, California.

  
JOHN HOUSTON SCOTT

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